

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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DANIEL LEE WACHOWIAK,

Plaintiff,  
v.  
Case No. 18-cv-642-pp

DR. JEFFREY MANLOVE,

Defendant.

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**ORDER DIRECTING PLAINTIFF TO RESPOND  
TO DEFENDANT'S MOTION TO COMPEL (DKT. NO. 26) BY JULY 3, 2019**

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Plaintiff Daniel Lee Wachowiak, who was formerly confined at the Waupun Correctional Institution, is representing himself. Magistrate Judge Nancy Joseph screened his complaint and allowed him to proceed on a claim that defendant Dr. Jeffrey Manlove refused him medical help for his foot infection in violation of the Eighth Amendment. Dkt. No. 18 at 4. On November 6, 2018, the case was reassigned to this court because all the parties had not consented to magistrate judge jurisdiction. The defendant has filed a motion to compel the plaintiff to sign an authorization allowing defense counsel access to his medical records. Dkt. No. 26.

It has been over three weeks, and the plaintiff has not responded to the motion to compel. A review of the docket reveals that the plaintiff has not filed anything since August 14, 2018, when he filed a letter informing the court that he wanted to proceed with the case. Dkt. No. 17.

Since then, the defendant has answered the complaint, dkt. no. 22, and the court had issued a scheduling order setting a deadline of April 8, 2019 for the parties to complete discovery and May 10, 2019 for the parties to file dispositive motions, dkt. no. 23. On May 13, 2019, the court granted the defendant's motion to stay the dispositive motion deadline until July 12, 2019, based on the plaintiff's failure to sign a medical authorization. Dkt. No. 25. On May 22, 2019, the defendant filed his motion to compel. Dkt. No. 26.

The court will order the plaintiff to file a response to the defendant's motion to compel in time for the court to receive it by July 3, 2019. If the court does not receive the plaintiff's response by July 3, 2019, the court may dismiss his case for failure to diligently prosecute it. See Civil Local Rule 41(c) (E.D. Wis.).

The court **ORDERS** that the plaintiff shall respond to the defendant's motion to compel (Dkt. No. 26) by the end of the day on **July 3, 2019**. If the court does not receive the plaintiff's response by that date, the court may dismiss this case for failure to prosecute.

Dated in Milwaukee, Wisconsin this 14th day of June, 2019.

**BY THE COURT:**



**HON. PAMELA PEPPER**  
United States District Judge